

28 August 2024

LAWASIA STATEMENT OF CONCERN ON THE ONGOING VIOLENCE IN GAZA

Recognising that historical and political complexities underlie the situation in Gaza;

Noting the horrific violence and acts of terrorism that were inflicted on communities in Israel on 7 October 2023 resulting in the death of approximately 1200 persons¹ and the abduction of over 250 civilians;²

Recognising that these acts of terrorism and violence have been condemned by the global community³ including international⁴ and national bar associations;⁵

Noting that the ongoing war in Gaza has continued over 10 months and has perpetrated violence on children,⁶ non-combatants and civilians and has destroyed essential infrastructure;

Emphasising the provisions of key international humanitarian and international human rights law instruments, to which Israel is a state party, including the Genocide Convention, 1948,⁷ the Geneva Convention, 1949⁸ and the Convention on the Rights of the Child, 1989;⁹

¹ <https://www.bbc.com/news/world-middle-east-67972962>

² <https://www.bbc.com/news/world-middle-east-67053011>;

³ <https://press.un.org/en/2023/sgsm21981.doc.htm>.

⁴ [IBA condemns Hamas attacks on Israel and urges for a just solution to be achieved between Israel and Palestine](https://www.ibanet.org/press-releases/iba-condemns-hamas-attacks-on-israel-and-urges-for-a-just-solution-to-be-achieved-between-israel-and-palestine) | International Bar Association (ibanet.org);

⁵ [Law Council of Australia condemns Hamas attack on Israel and calls for adherence to international humanitarian law in response](https://www.lawcouncil.gov.au/press-releases/law-council-of-australia-condemns-hamas-attack-on-israel-and-calls-for-adherence-to-international-humanitarian-law-in-response) - Law Council of Australia; <https://barhumanrights.org.uk/bhrc-condemns-atrocities-by-hamas-and-endorses-un-high-commissioner-on-human-rights-statement/>

⁶ <https://www.theguardian.com/world/article/2024/jun/07/united-nations-israel-children-rights-violation>

⁷ https://www.un.org/en/genocideprevention/documents/atrocity-crimes/Doc.1_Convention%20on%20the%20Prevention%20and%20Punishment%20of%20the%20Crime%20of%20Genocide.pdf

⁸ https://www.un.org/en/genocideprevention/documents/atrocity-crimes/Doc.33_GC-IV-EN.pdf

⁹ <https://www.ohchr.org/en/instruments-mechanisms/instruments/convention-rights-child>



Inviting attention to the orders passed by the International Court of Justice in relation to the war in Gaza on 26 January 2024,¹⁰ 28 March 2024,¹¹ and 24 May 2024;¹²

Noting with deep dismay media reports about the continuing humanitarian crisis in Gaza, particularly the destruction of schools,¹³ hospitals,¹⁴ sanitation facilities¹⁵ and the destruction of local bar association offices;¹⁶

Recognising efforts by the global community to bring an immediate end to hostilities;

LAWASIA calls for the safe return of all civilians who had been abducted on 7 October 2023 to their homes and urges that the bodies of the deceased civilians are returned to their families.

LAWASIA expresses its deep concern about the continuing disproportionate acts of violence unleashed in Gaza on non-combatants, especially children and women, and on the destruction of civilian infrastructure including schools, hospitals, utilities and safe zones;

LAWASIA urges all concerned actors to respect international humanitarian and international human rights law, allow essential aid into Gaza and cease hostilities.

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¹⁰<https://www.un.org/unispal/document/application-of-the-convention-on-the-prevention-and-punishment-of-the-crime-of-genocide-in-the-gaza-strip-south-africa-v-israel-the-court-indicates-provisional-measures-icj-press-release-26jan2024/>

¹¹<https://www.un.org/unispal/document/the-court-indicates-additional-provisional-measure-press-release-28mar24/>

¹²<https://www.un.org/unispal/document/summary-of-icjs-order-24may24/#:~:text=The%20Court%20considers%20that%2C%20in,its%20physical%20destruction%20in%20whole>

¹³<https://www.bbc.com/news/articles/c8erk37yn2no>; <https://www.aljazeera.com/news/2024/8/14/israels-intensifying-attacks-on-gaza-schools>;

¹⁴ <https://www.nytimes.com/2024/04/26/world/middleeast/gaza-israel-hospitals-medical-system.html>

¹⁵ <https://www.bbc.com/news/world-middle-east-68969239>

¹⁶ <https://palestinebar.ps/post/851>.